

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

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PATRICIA KAPHAEM, )  
v. )  
Plaintiff, )  
 )  
JOHN R. WALTERS and ) CIVIL ACTION  
SONNY PETERSON TRUCKING, INC., ) NO. 04-11712-NMG  
Defendants. )  
 )

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**DEFENDANTS' CERTIFICATION PURSUANT  
TO LOCAL RULE 16.1(D)(3)**

The Defendants, John R. Walters and Sonny Peterson Trucking, Inc., and their counsel hereby certify, in accordance with the provisions of Local Rule 16.1(D)(3), as follows:

Defendants and their counsel have conferred:

- (a) with a view to establishing a budget for the cost of conducting a full-course – and various alternative courses – of the litigation; and
- (b) to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

JOHN R. WALTERS AND  
SONNY PETERSON TRUCKING, INC.

January 17, 2005

By: /s/ Tracy Hull  
Tracy Hull, AIC  
Claim Adjuster  
Republic Western Insurance Company,  
Insurer of John R. Walters and  
Sonny Peterson Trucking, Inc.

January 28, 2005

/s/ Wesley S. Chused

Wesley S. Chused, BBO #083520  
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